

AFW

July 25, 2008

Application Control Number: 10/726,487
Art Unit 3742
Application: A Flexible Die Heater**Request Withholding of Abandonment**

To: The Commissioner for Patents

On July 17, 2008 we spoke to Examiner Henry Yuen regarding our application number 10/726,487, titled "A Flexible Die Heater" after logging on to Private PAIR and finding that the application had gone abandoned. We respectfully request that the Commissioner for Patents withhold the abandonment as we did properly respond to a non-final office action we received from Examiner Fastovsky dated July 5, 2005. We mailed our response on August 1, 2005. In order to be helpful, I have summarized the events below involving this case to explain our situation and reason for the request. These events are exactly as discussed with Examiner Henry Yuen on July 17, 2008.

- Following our company relocation, we submitted a change of address form to the US Patent and Trademark Office on November 12, 2004 requesting our address be changed from 613 Redna Terrace, Cincinnati, OH 45215 to 750 Redna Terrace, Cincinnati, OH 45215.
- On July 5, 2005, Examiner Fastovsky mailed a non-final office action to our old address and the mailing was forwarded to our new address by the US Postal Service.
- On July 14, 2005, we submitted a second change of address form upon noting the old address was still associated with the case.
- On August 1, 2005 we mailed our response to the non-final office action via UPS 2nd Day Air tracking number 1Z80738W0244981725 and it was received by the US Patent and Trademark Office on August 24, 2005.
- On March 17, 2006 the US Patent and Trademark Office mailed an abandonment notice that we did not receive because the change of address information had not been



put into the system. By this time our forwarding service had expired through the US Postal Service.

- On March 26, 2006 the abandonment notice was received back at the US Patent and Trademark Office as undelivered.
- Only recently did we discover that the case went abandoned due to an old address status inquiry and we contacted the US Patent and Trademark Office immediately.

Examiner Yuen has confirmed that our response of August 1, 2005 was properly dated and marked. In lieu of these events, we respectfully request that the office abandonment be removed and the case be reopened. We believe that the case should be considered "live" as we submitted a proper response in a timely manner. We believe we should receive an office response based on the amended claims we mailed on August 1, 2005 in response to the non-final office action from Examiner Fastovsky dated July 5, 2005.

Thank you very much in advance for your time involving this case. If you have any questions or need additional information, please do not hesitate to contact us at your convenience at 513-772-0404.

Sincerely,



J. A. Sekhar

(for inventors)